

AUSA Assigned: Timothy J. Ohms

County of Investigation: Spokane

*In Re: Affidavit for Criminal Complaint charging Robert James Barbee with
Escape in violation of 18 U.S.C. §§ 751(a), 4082(a)*

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
SEP 30 2022
SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

AFFIDAVIT

STATE OF WASHINGTON)

) ss

Spokane County)

I, Hank Shafer, being first duly sworn on oath, do hereby depose and say:

1. Hank Shafer is a Criminal Investigator United States Deputy Marshal with the United States Marshals Service (USMS), United States Department of Justice, currently assigned to the U.S. Marshals Office in Spokane, Washington. I have served as a Criminal Investigator Deputy U.S. Marshal for over 19 years in the Eastern District of Washington.

2. Hank Shafer's regular duties as a Criminal Investigator Deputy U.S. Marshal encompass, among other tasks, the investigation of all violations of federal law and related criminal activities, including but not limited to, offenses contained within Title 18 of the United States Code. I additionally assist with the movement of prisoners; serve court-ordered summons and arrest warrants; and frequently investigate and apprehend federal and state fugitives. The following

information is based on my own observations, training, experience, and investigation.

3. As part of your Affiant's duties as a Criminal Investigator Deputy United States Marshal, your Affiant received and reviewed a Community Corrections Escape Report from the Federal Bureau of Prisons, advising that inmate Robert James Barbee had escaped from custody. According to the report, BARBEE was sentenced to 30 months in the Federal Bureau of Prisons custody stemming from a criminal conviction for Failure to Register as a Sex Offender. BARBEE was transferred to the Spokane Residential Re-Entry Center (SRRC) for completion of his custody term with the Bureau of Prisons.

4. According to the report, the SRRC advised that on September 22, 2022, BARBEE was on an approved pass for mental health treatment and due to return at 8:00 pm. When BARBEE did not arrive at the SRRC at the noted time, staff at the SRRC called the treatment center and there was no response. The SRRC staff then tried to call BARBEE'S cellular phone and it was turned off as it went straight to voicemail. The SRRC staff notified the Bureau of Prisons at 8:43 pm. BARBEE was placed on "escape status" and the United States Marshal's Service was contacted to arrest BARBEE and pursue escape charges. BARBEE'S whereabouts remain unknown and to date, your Affiant is not aware of any

information to indicate BARBEE'S failure to return to the SRRC was anything other than willful.

5. Based on the foregoing facts, your Affiant believes that probable cause exists for the issuance of a Criminal Complaint for Robert James Barbee, for Escape, in violation of 18 U.S.C. §§ 751(a), 4082(a).

I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.


Criminal Investigator Deputy Hank Shafer
United States Marshals Service

In person and signed in person JAG
Sworn to telephonically and signed electronically on this 30th day of September, 2022.


James A. Goeke
United States Magistrate Judge